

receiving its recommendation before making their nomination." Delegate Grant?

DELEGATE GRANT: I would like to speak to this, both as one of the authors of the amendment and also as a single member delegate. First of all we face the plain statutory consideration that there is no authority in this convention to impose duties on any other agency in the state.

Secondly, we have to consider the fact that the governing body of the county was elected for purposes other than writing a Constitutional Convention. This is something, of course, that has been particularly brought home in a hearing so far on the Local Government Committee. Generally speaking, they were not selected on broad constitutional issues; they were selected on more local issues.

Another consideration is that the rule right now is very long and complicated and to try and put something else into it would make it almost unworkable. You can assume, as Delegate Scanlan does, that anything is open to a certain amount of criticism. However, we have to depend on the selection committee to exercise a certain amount of political acumen in making their selections. I think certainly in taking two people, such as the First Vice-President and the Second Vice-President, who have been elected to these positions within the Convention, we are picking people already determined to be the most qualified delegates to do this very difficult task for us. I think it is certainly reasonable to expect that in carrying out their duties they would consult with the governing body of the county, without our getting embroiled in imposing this duty upon them in a motion that we may not really have the authority to do.

THE PRESIDENT: Delegate Freedlander?

DELEGATE FREEDLANDER: Mr. President, I would like to speak against both motions. The Enabling Act states that the filling of vacancies would be done by the Convention. Since we were all selected on a non-partisan ballot, it seems to me that we should fill vacancies from the person next in line who lost in each district, except in those instances where there were no other candidates running. Then and only then should such a selection committee be brought into action.

THE PRESIDENT: Any further discussion? Delegate Bamberger?

DELEGATE BAMBERGER: Mr. President, I have two concerns with the form of

the amendment suggested by Delegate Linton. One is that in some districts there are more than one county, or in some districts there are parts of several counties, so that in the present form the amendment would have to be changed to enable the two Vice-Presidents to consult with the governing bodies of all of the counties, which might be included in that particular district.

Secondly, I am concerned that, as it is worded, the amendment would require the Vice-Presidents to accept the recommendation of the political subdivision. I do not think that was the intent. What the committee was wrestling with here was the concern of Vice President Clark that the selection committee seek an expression of the will of the people in that particular district, and that our prior consideration concerning the composition of the selection committee of people from neighboring districts would not automatically accomplish that.

I think we have struck a workable compromise in that as Delegate Grant says, we have suggested that the selection committee be made up of two men in whom this Convention has already expressed its confidence, in two men who hold political office, and therefore not insensitive to local politics, and the validity of the local political process. It might well be that they would want to bring to this Convention the name of someone who was not in particular favor with the governing body of that district, but who might be the person, as Delegate Freedlander suggests, who ran next in the election.

Our hope was that this Convention could put that confidence in the two Vice-Presidents. The report of the Committee, I think, makes it clear that it is the will of the committee, and if adopted by this Convention, the will of the Convention that the two Vice-Presidents in making their choice will not sit in isolation, but will talk to the County Commissioners, the Mayor of the town, or anyone else who enjoys political office or political favor in that particular district. I would, therefore, urge that we adopt the report as it is without the amendment suggested by Delegate Linton.

THE PRESIDENT: Delegate Bamberger, the Chair is not clear as to your first comment. Since there is only one delegate from each county, that is, one delegate to the Constitution—

DELEGATE BAMBERGER: I am wrong. I do have it reversed.